GOVERNMENT OF INDIA
TRIBAL AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2523
ANSWERED ON:14.12.2015
Joint Committee on Forest Rights Act
Devi Smt. Rama;Dhurve Smt. Jyoti;Gandhi Shri Feroze Varun;Laguri Smt. Sakuntala;M. Smt. Vasanthi;Thakur Shri Anurag Singh

Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether the Joint Committee of the Ministry of Tribal Affairs and the Ministry of Environment and Forests has held a meeting to discuss the issue of compliance of provisions of the Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and ensuring that the tribals get their due forest rights including right to farming in the forest land;

(b) if so, the main points discussed thereunder;

(c) the steps taken by the said Committee to remove the obstacles in the implementation of the new laws;

(d) the extent to which the Committee has succeeded in its effort and the reaction of the Government thereon;

(e) whether the Government has taken measures to ensure that the claims disposed off under the Forest Rights Act are registered under both husband and wife names and claims disposed off in the name of women also; and

(f) if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS
(SHRI MANSUKHBHAI DHANJIBHAI VASAVA)

(a) to (d): The Ministry of Environment & Forests and the Ministry of Tribal Affairs had constituted a Joint Committee in April 2010 to study in detail the implementation of the Forest Rights Act, 2006 (FRA) including factors that were aiding/ impeding its implementation and recommend necessary policy changes in the future management of the forestry sector in India which might be necessary as a consequence of the implementation of the Forest Rights Act. The Committee has submitted its report to the Government in December, 2010. Thereafter, no Joint Committee meetings have been held. The report includes inter-alia recommendations/ suggestions relating to process and institutions of the FRA, individual and community forest rights, future structure of forest governance, enhancing livelihoods through non-timber forest produce and convergence of development programmes for tribals and forest dwellers. The Ministry had issued comprehensive guidelines to the State Governments/UT Administrations on 12-07-2012 and amended the Forest Rights Rules, 2008 on 6th September, 2012 to remove impediments and ensure effective implementation of the Act at the ground level. The recommendations/ suggestions of the Joint Committee were also taken into consideration while issuing the guidelines and making amendments in the Forest Rights Rules.

(e) & (f): The forest rights conferred under the Forest Rights Act, 2006 are required to be registered jointly in the name of both the spouses in case of married persons and in the name of single head in the case of a household headed by a single person under Section 4(4) of the Act. As per the provisions of the Act and the Rules framed there under, the responsibility for the implementation of the Act lies with the State/UT Governments. It is, therefore, for the State/UT Governments to ensure compliance of the provisions of the Section 4(4) of the Act while settling the claims under the Act. The Ministry does not maintain data regarding the number of claims disposed of under FRA in the name of both husband and wife names and number of claims disposed of in the name of women.
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